

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 v. ) Criminal No. 14-00117-01-CR-W-DW  
 )  
 JAMES T. SMITH )  
 )  
 Defendant. )

**POSSIBLE DISPOSITION:**

( X ) Definitely for trial; ( ) Possibly for trial; ( ) Likely a plea will be worked out

**TRIAL TIME: 2 ½ -3 days**

Government's case including jury selection: 2 ½ -3 days

Defense case: Defendant does not intend to call any witnesses. Government counsel has attempted to factor into the trial time an estimate of the amount of time defendant will spend in cross-examining witnesses. However, since the defendant is proceeding pro se, it is difficult to estimate the time that will be spent on cross-examination.

**STIPULATIONS:** Given defendant's pro se status it appears unlikely the parties will be able to agree to any stipulations.

**UNUSUAL QUESTIONS OF LAW:** None

**FILING DEADLINES:**

**Witness and Exhibit List**

Government: Friday before the pretrial conference

Defense: Friday before the pretrial conference

**Counsel are requested to list witnesses in alphabetical order on their witness list.**

**Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, November 12, 2014**

**Please Note:** Jury instructions must comply with Local Rule 51.1

**Motion in Limine:** Defendant was in the process of copying potential exhibits to provide government counsel. Government counsel may file a motion in limine to keep out one or more exhibits once they have been identified by defendant.

**TRIAL SETTING:** This case is specially set to commence on November 17, 2014.

**IT IS SO ORDERED.**

/s/ Sarah W. Hays

SARAH W. HAYS

UNITED STATES MAGISTRATE JUDGE